REMARKS

This application has once again been carefully reviewed in light of the most recent non-final Office Action and the Rejections under Section 112 and 103 as set forth therein as well as the comments of the Examiner which have been duly considered.

The formal rejection based upon indefiniteness has been addressed herein. It is believed that parent claim 1 is now clear definite and the limitations therein are structural and not method steps.

Claims 1 and 4 through 8 ave been rejected as unpatentable and obvious in light of the Japanese Published Application No. 2-353U taken in view of Barbieri 4,004,362.

It is counsel's opinion that the Examiner may have misconstrued the prior art references in combining the same to anticipate the claims in this case. The elements of the claims as now amended are not believed to be obvious in light of these citations.

The essence of the invention and as set forth in Claim 1 is that the positioning tab **24** and the gape body **4** are interconnected via connecting portions **8** having the cutting lines **L**. Additionally, a slit is formed between the

positioning tab **24** and the tape body **4** so as to form an unconnected portion therebetween.

Claim 1 also recites that the connecting portions **8** are provided on side portions of the end periphery **4a** of the tape body **4**. It is further emphasized that the unconnected portion is provided on a remaining portion of the end periphery **4a** of tape body **4**. Also, the release sheet **12** has slits **S** which are formed adjacent to the cutting lines **L**. Neither of the cited references teach or suggest these claimed features.

It is emphasized that in the claimed invention, positioning tab **24** and tape body **4** are connected by means of the connecting portions **8**. The connecting portions **8** are positioned on both side portions of the end periphery **4a** od tape body **4**. It should be noted that the unconnected portion is formed between the positioning tab **24** and tape body **4** by forming the slits therebetween. The unconnected portion is positioned on a remaining portion of the end periphery **4a** of tape body **4**.

The cited Japanese published application teaches perforations **27** that are formed between the tape body **24** and the ear portion **26**, However, perforations **27** are formed in the entire portion of the end periphery of the tape body **24**.

Therefore, the perforations **27** do not correspond to the claimed connecting portions **8** that are formed in both side portions of the end periphery **4a** of the tape body **4**. Therefore, it is not believed that the claimed connecting portions **8** are fairly taught or suggested by JP 2-353.

It will be seen that the perforations **27** in the Japanese citation are formed in the entire portions of the end periphery of the tape body **24**. Therefore they do not correspond to the claimed connecting portions **8** that are formed in both side portions of the end periphery **4a** of tape body **4**. Therefore, we contend that the claimed connecting portions **8** are not taught nor suggested by JP2-353.

It will also be seen that in the Japanese citation, the perforations **27** are formed in the entire portions of the end periphery of of the tape body **24**. That is, tape body **24** is connected to the ear portion **26** along the entire portions of the end periphery of tape body **24**. Therefore, the adhesive tape described in this publication does not have an unconnected portion corresponding to the claimed unconnected portion. This unconnected portion is not shown, taught or suggested by the reference.

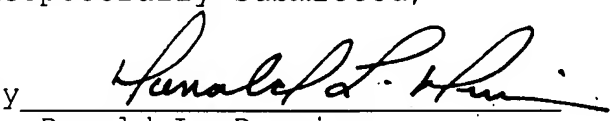
With the construction of the claimed invention, the unconnected portion is formed between the positioning tab **24** and the tape body **4**, the positioning tab can easily be separated from the tape body after the tape body is positioned on the adherend. This effect is considered to be a specific advantage and function not expected from the cited prior art.

Barbieri, as noted in the Reamrks appended to the earlier Amendment concerns an adhesive wire marker tape having an adhesive layer and a backing. The key to this device is the provision of a pair of spaced-apart holes or apertures through which the wire to be marked is inserted. Thereafter, the backing layer is removed. The adhesive element is then folded over to form an identification flag on the wire. This is an entirely different concept from that of the present applicants.

In light of the present amendment to the parent claim and the arguments advanced above, reconsideration of the rejection is respectfully solicited.

In the event that the Examiner believes that a personal interview would be helpful in resolving any outstanding issues, counsel would be pleased to arrange the same.

Respectfully submitted,

By 

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